

ONE HUNDRED NINETEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-3641
Minority (202) 225-2927

August 13, 2025

The Honorable Chris Wright
Secretary
U.S. Department of Energy
1000 Independence Ave SW
Washington, DC 20585

Dear Secretary Wright:

We write to demand information about the Department of Energy (DOE) and its employees' dealings with the Nuclear Regulatory Commission (NRC) and its staff. Specifically, we are concerned that DOE employees have broken the firewall between DOE and the regulation of nuclear reactor safety mandated by law for a half-century.

Over fifty years ago, Congress and President Ford made the decision to separate out the parts of the government responsible for nuclear reactor safety and promoting nuclear energy development in response to growing concerns that “there is a basic conflict between the [Atomic Energy Commission’s] regulation of the nuclear power industry and its development and promotion of new technology for the industry.”¹ The Energy Reorganization Act of 1974 explicitly separated those functions, finding “that it is in the public interest that the licensing and related regulatory functions of the Atomic Energy Commission (AEC) be separated from the performance of the other functions of the Commission”—granting what is now DOE responsibility for supporting the nuclear energy industry, and NRC responsibility for the safety of nuclear reactors.² Congress split the functions between two agencies and built a firewall between them in part to increase public confidence in the safety of the nuclear industry.³ We are deeply concerned that recent actions have undermined this longstanding relationship between DOE and NRC and may in the long run undermine public confidence in nuclear energy.

Our concerns stem from reports of DOE staff detailed to NRC who have reportedly told NRC staff that “DOE, DOD would approve stuff, and then NRC would be expected to just kind

¹ Pub. L. No. 93-438 (1974).

² 42 U.S.C. 5801(c) §2(c).

³ United States National Regulatory Commission, *Atomic Fission: The Breakup of the Atomic Energy Commission and the Energy Reorganization Act of 1974* (Feb. 2025) (NUREG/BR-0533).

of rubber-stamp” nuclear-safety related matters, including nuclear reactor licenses.⁴ In answers submitted to the Senate Environment and Public Works Committee, NRC Chairman David Wright indicated that a DOGE-affiliated staffer, detailed from DOE, is currently working at NRC, but does not report to anyone at NRC, which could potentially violate the law.⁵

Additionally, in recent months, numerous senior NRC staff, including the General Counsel, have been pushed out at the behest of DOE staff (or by NRC staff after veiled threats from DOE staff).⁶ This is all happening amid the illegal firing of Commissioner Christopher Hanson and the abrupt departure of Commissioner Annie Caputo. NRC’s website indicates that its current Chief Counsel is the same individual who was recently listed on DOE’s website as the Department’s “Deputy General Counsel for Litigation.”⁷ That individual was also listed as DOE’s “Acting General Counsel” and “Principal Deputy General Counsel” in May.⁸ It is unclear to us whether naming someone as Chief Counsel at NRC is an attempt to get around the requirements for appointing a General Counsel under Reorganization Plan No. 1 of 1980, which requires that a General Counsel can only be appointed at the initiation of the NRC Chairman, and with the approval of the Commission.⁹

These troubling actions come on the heels of a series of executive orders issued by the President which attempt to undermine the independence of NRC and require DOE to get involved in matters legally reserved to NRC. Executive Order 14301 attempts to expand the scope of DOE’s ability to self-license nuclear reactors, notwithstanding a legal requirement that NRC retain licensing authority over all demonstration reactors, even those constructed on DOE land or pursuant to a contract with DOE.¹⁰ The executive order also required DOE to create a pilot program to establish reactors under contract with DOE but outside of the National Laboratories, and to ensure three reactors are stood up by July 4, 2026.¹¹ When questioned by Representative Diana DeGette about DOE’s plan to comply with the executive order, you seemed to acknowledge that the reactors in question would be demonstration reactors (i.e.

⁴ *DOGE Told Regulator to ‘Rubber Stamp’ Nuclear*, Politico (July 14, 2025).

⁵ United States Senate Committee on Environment and Public Works, *Whitehouse Calls Out DOE’s Hostile Takeover of NRC, Withdraws Support for Renomination* (July 9, 2025) (press release).

⁶ Statement of Senator Sheldon Whitehouse, Congressional Record, S4761 (July 28, 2025).

⁷ United States Nuclear Regulatory Commission, *Office of the General Counsel* (<https://www.nrc.gov/about-nrc/organization/ogcfuncdesc.html>) (accessed July 29, 2025); United States Department of Energy, *Office of the General Counsel* (<https://www.energy.gov/gc/office-general-counsel>) (accessed July 29, 2025).

⁸ United States Department of Energy, *Office of the General Counsel Org Chart* (<https://www.energy.gov/sites/default/files/2025-05/GC%20Org%20Chart%20-%20Leadership%205.8.2025%20rev.pdf>) (accessed August 12, 2025).

⁹ 94 Stat. 3585; 5 U.S.C. app. §1(b)(1).

¹⁰ Exec. Order No. 14301, 90 Fed. Reg. 22591 (May 23, 2025); 42 U.S.C. 5842 §202.

¹¹ Exec. Order No. 14301, 90 Fed. Reg. 22591 (May 23, 2025).

subject to NRC licensing jurisdiction) and you committed to getting her the Department's plan to stand up those reactors.¹² Nearly two months later, her office has not received such a plan.

We are supportive of safe nuclear power—which is why we all proudly supported Representative DeGette's ADVANCE Act, which is already paying dividends by increasing much-needed efficiency in the NRC's operations. However, the ADVANCE Act was premised on nuclear power being fundamentally safe. DOE's actions interfere with the normal work of NRC and appear to encroach upon NRC's statutory licensing obligations. Because of that, we are concerned that the perception of the safety of American nuclear reactors may start to be questioned and that DOE may be acting contrary to the intent of the ADVANCE Act, the Atomic Energy Act, and the Energy Reorganization Act of 1974.

It is in no one's interest for the safety of America's nuclear fleet to be questioned, particularly as we enter an era of increasing electricity demand. Section 303a. of the Atomic Energy Act requires that you keep the Committee "fully and currently informed with respect to the activities of the Secretary [of Energy]."¹³ But if DOE insists on its current path and on keeping Congress in the dark, we are concerned that future nuclear growth may be stifled before it can get off the ground. To that end, we request answers to the following questions by no later than August 27, 2025.

1. How many DOE employees are currently detailed to NRC? How many former DOE employees that were hired by DOE on or after January 20, 2025, are currently employed by NRC?
 - a. For each of the identified DOE employees that are currently detailed to NRC, who is their direct supervisor at DOE?
 - b. For each of the identified DOE employees that are currently detailed to NRC, who made the decision to detail them to the NRC?
 - c. Does Mr. David Taggart, who was recently identified on DOE's website as the Deputy General Counsel for Litigation, still work at DOE or report to anybody employed by DOE?¹⁴
2. Did you ask Mr. Adam Blake, who demanded that NRC act as a "rubber-stamp," to communicate that to NRC Chairman David Wright or other senior employees at NRC?¹⁵

¹² House Committee on Energy and Commerce, *The Fiscal Year 2026 Department of Energy Budget*, 119th Cong. (June 10, 2025).

¹³ 42 U.S.C. 2259§303a.

¹⁴ See note 8.

¹⁵ See note 4.

The Honorable Chris Wright

August 13, 2025

Page 4

3. Are the reactors being pursued by DOE pursuant to Executive Order 14301 demonstration reactors?
4. On June 10, you committed to providing Representative DeGette information on DOE's plan to carry out Executive Order 14301. Please provide this information.

Sincerely,



Frank Pallone, Jr.
Ranking Member



Kathy Castor
Ranking Member
Subcommittee on Energy



Diana DeGette
Member of Congress

cc: The Honorable Brett Guthrie
Chairman
Committee on Energy and Commerce

The Honorable Robert E. Latta
Chairman
Subcommittee on Energy

The Honorable David A. Wright
Chairman
Nuclear Regulatory Commission